

Appl. No. : 09/814,547
 Filed : March 22, 2001

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) In an investment risk minimization system involving a venture capital investor and a venture needing investment from the venture capital investor, a method performed in the following sequence comprising:

identifying a venture having an intellectual asset;

determining a value of the intellectual asset held by the venture;

establishing an amount of the investment at least partially based on the value of the intellectual asset;

determining for the venture minimum performance conditions needed for the investment to be recouped over a predetermined period of time, wherein the minimum performance conditions comprise at least one of a return on investment goal, an earnings goal, a market penetration goal, a gross sales goal or a combination thereof;

providing [an] the investment to [a] the venture having [an] the intellectual asset;

receiving a security interest in the intellectual asset, the security interest securing an ownership right to the intellectual asset upon failure by the venture to meet minimum performance conditions; ~~established parameters; and~~

obtaining ownership in the intellectual asset if the venture receiving the investment fails to meet the minimum performance conditions; ~~obtaining ownership in the intellectual asset;~~

determining a disposition strategy for the intellectual asset based on predetermined considerations, wherein the considerations comprise at least one of a likely future market for the intellectual asset, an ability of other ventures to use the intellectual property asset, a competitive protection afforded to other ventures by restricting access to the intellectual property asset;

determining the disposition strategy to be transferring the intellectual asset to a charitable organization;

determining an appraised fair value for the intellectual asset based on predetermined factors, wherein the factors comprise at least one of cost of selling the intellectual asset within a reasonable period of time, sales of comparable intellectual

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assets, cost of reproduction of the intellectual asset, opinion appraisals of the intellectual asset, and any combination thereof; valuing the intellectual asset, and

calculating a tax deduction obtained from transferring of the intellectual asset to the charitable organization; and

transferring the intellectual asset to [a]the charitable organization at the appraised fair value of the intellectual asset.

2. (Canceled)

3. (Canceled)

4. (Currently Amended) The method of claim 1, ~~further comprising wherein the~~ obtaining further comprises obtaining consent from the venture to own the intellectual asset in satisfaction of the failed investment.

5. (Currently Amended) The method of claim 1, ~~wherein the step of donating the intellectual asset wherein the~~ transferring further comprises identifying a permissible donee charitable organization to receive the intellectual asset.

6. (Currently Amended) The method of claim 1, ~~further comprising having wherein~~ the determining a value of the intellectual asset comprises having the intellectual asset appraised by a qualified appraiser.

7. (Currently Amended) The method of claim 1, ~~wherein the step of providing an investment to a venture having an intellectual asset wherein the providing the investment to the venture comprises investing in a separate intellectual capital holding company, the intellectual capital holding company having an ownership in the~~ and wherein the intellectual capital holding company receives the security interest in the intellectual asset of the venture.

8. (Currently Amended) The method of claim 1, ~~wherein the step of valuing the intellectual asset includes wherein the~~ determining a value of the intellectual asset comprises determining the fair market value of the intellectual asset.

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Canceled)

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- 14. (Canceled)
- 15. (Canceled)
- 16. (Canceled)
- 17. (Canceled)
- 18. (Canceled)
- 19. (Canceled)
- 20. (Canceled)
- 21. (Canceled)
- 22. (Canceled)